

ORDINANCE NO. 18029-03-2008

AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 6 "ANIMALS AND FOWL" SECTION 6-1 "DEFINITIONS" OF THE CITY CODE TO REVISE DEFINITION OF "MINIATURE SWINE"; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS one purpose of Chapter 6 the City Code is to encourage responsible animal ownership; and

WHEREAS current law allows the keeping of miniature swine as pets in the City; and

WHEREAS the Public Health Department recommends revising the limitations on weight and height to reflect the height and weight that are typical of healthy, mature miniature swine; and

WHEREAS it is advisable to amend Article I, Chapter 6, Section 6-1 of the City Code to revise the allowable height and weight for miniature swine.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, AS FOLLOWS:

SECTION 1.

That Section 6-1 "Definitions." of Chapter 6 of The Code of the City of Fort Worth, Texas, is hereby amended to read as follows:

Miniature swine: Any member of the swine family which has, through selective breeding, been genetically manipulated so as to attain a maximum height of twenty (20) inches at the shoulder and a maximum weight of one hundred and twenty (120) pounds.

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (1986), as amended, except where the provisions of this ordinance are

in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation exists shall constitute a separate offense.

SECTION 5.

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of the ordinances amended herein, which have accrued at the time of the effective date of this ordinance and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

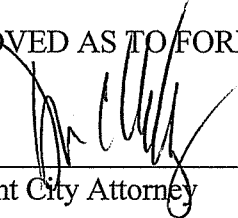
SECTION 6.

The City Secretary of the City of Fort Worth, Texas, is hereby directed to publish the caption, penalty clause and effective date of this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by Section 52.013, Texas Local Government Code.

SECTION 7.

This ordinance shall take effect upon adoption and publication as required by law.

APPROVED AS TO FORM AND LEGALITY:



Assistant City Attorney

ADOPTED: March 25, 2008

EFFECTIVE: March 30, 2008

City of Fort Worth, Texas
Mayor and Council Communication

COUNCIL ACTION: Approved on 3/25/2008 - Ord. No. # 18029-03-2008

DATE: Tuesday, March 25, 2008
LOG NAME: 50MINSWINEAMEND

REFERENCE NO.: G-16088

SUBJECT:

Adopt an Ordinance Amending City Code, Chapter 6, Article I, Section 6-1 to Revise Definition of Miniature Swine

RECOMMENDATION:

It is recommended that the City Council adopt the attached ordinance amending the City Code, Chapter 6, Article I, Section 6-1 to revise the weight and height restrictions for miniature swine.

DISCUSSION:

In 1992, Council approved keeping miniature swine as house pets in the City of Fort Worth. The current ordinance restricts the size of miniature swine to a weight of less than 60 pounds and a height of less than 18 inches at the shoulder.

Figures published by the North American Potbellied Pig Association reflect that a healthy, mature, potbellied pig typically weighs from 60 to 175 pounds and measures from 13 to 26 inches in height, with the length being proportional to the height. Based on these breed standards and a review of current ordinances in municipalities across the state, staff is recommending that the size limitations be expanded to a maximum weight limit of 120 pounds and a maximum height limit of 20 inches at the shoulder.

FISCAL INFORMATION/CERTIFICATION:

The Finance Director certifies that this action will have no material effect on City funds.

TO Fund/Account/Centers

FROM Fund/Account/Centers

Submitted for City Manager's Office by:

Joe Paniagua (6140)

Originating Department Head:

Daniel Reimer (7201)

Additional Information Contact:

James Agyemang (3743)
